UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:22-cr-00105 AGF JMB
	)	
LUKE EDWARD NICOZISIN,	)	
	)	
Defendant.	)	

MOTION FOR PRETRIAL DETENTION AND HEARING

COMES NOW, the United States of America, by and through its attorneys, Sayler A. Fleming, United States Attorney for the Eastern District of Missouri, and Kyle T. Bateman, Assistant United States Attorney for said District, and moves the Court to order defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, §3141, et seq.

As and for its grounds, the Government states as follows:

Because of defendant's present charge, there is a presumption that no conditions of bond can ensure the community's safety. Defendant is charged with Production of Child Pornography in violation of Title 18, U.S.C., Section 2251(a).

Title 18, U.S.C. Section 3142(e)(3) states that:

Subject to rebuttal by the person, it shall be presumed that no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of the community if the judicial officer finds that there is probable cause to believe that the person committed an offense . . . involving a minor victim under section . . . 2251. . . .

Defendant cannot show that there is any condition or combination of conditions that will assure the safety of the community.

There is a serious risk that the defendant will flee.

The minimum sentence for production of child pornography is imprisonment for fifteen years.

WHEREFORE, the Government requests this Court to order defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of defendant's initial appearance.

SAYLER A. FLEMING
United States Attorney

 /s/ Kyle T. Bateman
KYLE T. BATEMAN, #996646DC
Assistant United States Attorney